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8 Attorneys for Plaintiff
9 LIBERTY MUTUAL INSURANCE COMPANY

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LIBERTY MUTUAL INSURANCE
COMPANY, a Massachusetts corporation,

Plaintiff,

v.

VILA CONSTRUCTION COMPANY, a
California corporation; RICHARD H. VILA,
an individual; MARIA ELENA VILA, an
individual; THE RMV FAMILY TRUST
Dated September 19, 2013; RICHARD H.
VILA, as Trustee for The RMV Family Trust
Dated September 19, 2013; MARIA ELENA
VILA, as Trustee for The RMV Family Trust
Dated September 19, 2013; VILA
LEASING, a California partnership;
ROBERT P. VILA, an individual; JOSEPH
H. VILA, an individual; THE ELAINE J.
OLSON TRUST Dated December 20, 1989;
THE GEORGE JAMES VILA TRUST
Dated August 17, 2015; and CHEROLYNN
R. VILA, an individual,

Defendants.

Case No. 4:19-cv-07306-PJH (KAW)

**STIPULATION TO VACATE
DEBTORS' EXAMINATION SET FOR
AUGUST 18, 2022; AND [PROPOSED]
ORDER THEREON**

Date: August 18, 2022

Time: 1:30 p.m.

Judge: Honorable Kandis A. Westmore

By and through their respective attorneys of record, Plaintiff LIBERTY MUTUAL
INSURANCE COMPANY (“Plaintiff”) on the one hand, and Defendants VILA
CONSTRUCTION COMPANY; RICHARD H. VILA; MARIA ELENA VILA; THE RMV

1 FAMILY TRUST Dated September 19, 2013; RICHARD H. VILA as Trustee for The RMV
2 Family Trust Dated September 19, 2013; MARIA ELENA VILA as Trustee for The RMV
3 Family Trust Dated September 19, 2013; VILA LEASING; ROBERT P. VILA; JOSEPH H.
4 VILA; THE ELAINE J. OLSON TRUST Dated December 20, 1989; THE GEORGE
5 JAMES VILA TRUST Dated August 17, 2015; and CHEROLYNN R. VILA (collectively,
6 “Defendants”) on the other hand, hereby agree, stipulate and jointly request as follows:

7 On June 14, 2021, Judgment was entered in favor of Liberty and against all
8 Defendants. (ECF 94).

9 On February 3, 2022, Liberty and Debtors RICHARD H. VILA, MARIA ELENA
10 VILA, and VILA LEASING participated Debtors' Examinations. At that time, it was
11 agreed that more time for questioning was needed.

12 On March 24, 2022, the Court granted the Parties' *Stipulation for Continued*
13 *Debtors' Examinations* and set the continued Debtors' Examinations for May 19, 2022.

14 On May 17, 2022, the Court granted the Parties' *Stipulation for Continued Debtors'*
15 *Examinations* and set the continued Debtors' Examinations for August 18, 2022.

16 Since the last continuance, the Parties made significant progress with settlement
17 discussions to the point that the scheduled Debtors' Examinations are no longer necessary.
18 The progress includes, but is not limited to, a written Settlement Agreement executed by the
19 Parties and a settlement payment from Defendants to Liberty.

20 Based on the foregoing, the Parties mutually agree to vacate the Debtors'
21 Examinations of RICHARD H. VILA, MARIA ELENA VILA, and VILA LEASING,
22 currently set for Thursday, August 18, 2022, at 1:30 p.m.

SO STIPULATED AND AGREED.

24 | Dated: July 20, 2022 WOLKIN • CURRAN, LLP

/s/ *James D. Curran*
James D. Curran, Esq.
Attorneys for Plaintiff
LIBERTY MUTUAL INSU

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1 Dated: July 20, 2022

STEELE LAW GROUP

2 /s/ Geoffrey Wm. Steele

3 Geoffrey Wm. Steele, Esq.

4 Attorneys for Defendants

5 VILA CONSTRUCTION COMPANY; RICHARD H.
6 VILA, an individual; MARIA ELENA VILA, an
7 individual; THE RMV FAMILY TRUST Dated
8 September 19, 2013; RICHARD H. VILA, as Trustee
9 for The RMV Family Trust Dated September 19, 2013;
10 MARIA ELENA VILA, as Trustee for The RMV
11 Family Trust Dated September 19, 2013; and VILA
12 LEASING; ROBERT P. VILA, an individual;
13 JOSEPH H. VILA, an individual; THE ELAINE J.
14 OLSON TRUST Dated December 20, 1989; THE
15 GEORGE JAMES VILA TRUST Dated August 17,
16 2015; and CHEROLYNN R. VILA, an individual

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ATTESTATION (CIVIL LOCAL RULE 5-1(i)(3))

19 I attest under penalty of perjury under the laws of the United States of America that,
20 in accordance with Local Rule 5-1(i)(3) of the United States District Court, Northern
21 District of California, I have obtained the concurrence of counsel for Defendants, Geoffrey
22 Wm. Steele, in the filing of this document.

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Dated: July 20, 2022

WOLKIN • CURRAN, LLP

25 /s/ James D. Curran

26 James D. Curran, Esq.

27 Attorneys for Plaintiff

28 LIBERTY MUTUAL INSURANCE COMPANY

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[PROPOSED] ORDER

The Court, having reviewed the above *Stipulation to Vacate the August 18, 2022, Debtors' Examinations*, and good cause appearing therefore, orders as follows:

The Debtors' Examinations of Debtors RICHARD H. VILA, MARIA ELENA VILA, and VILA LEASING currently scheduled for Thursday, August 18, 2022, at 1:30 p.m. are hereby vacated.

IT IS SO ORDERED.

Date: _____ Hon. Kandis A. Westmore